



LAND DISTURBANCE AND DEVELOPMENT PERMIT PROCESS

A land disturbance permit is required for all land disturbing activity unless specifically exempt. The preliminary plat or site plan with fees must be submitted and approved by the City of Statham's Planning & Zoning Department before submitting NOI Notice of Intent, Soil Erosion, Sediment Control and Hydrology Plans to EPD. Submitting to the EPD only applies if the land disturbance is greater than 1 acre.

A checklist for submitting plans to EPD is located on Georgia Soil & Water Conservation Commission's website <http://gaswcc.georgia.gov> – E&S 2017 Checklists

The City of Statham is **not** an issuing authority for Soil Erosion and Sedimentation Permits. These are submitted by the contractor to Athens & Cartersville EPD Offices:

Northeast District, 745 Gaines School Rd, Athens, GA 30605
Phone: 706-369-6376

Mountain District 16 Center Rd., P.O. Box 3250, Cartersville, GA 30121
Phone: 770-387-4900

If submittal is required to EPD for land disturbance greater than 1 acre:

Before applying for a Development and or Grading Permit, a copy of the NOI (Notice of Intent) and a copy of the certified mail receipt for submitting plans to EPD are required. Additionally, Letter of Approval by EPD must be received by our office before any permit for land disturbance can be submitted.

Note: Submitting an application for grading with City of Statham does not imply that a permit will be issued to begin work. If the permit application is not approved, the contractor/developer will be notified by email and phone. If grading has been approved, a permit poster indicating a permit number, date approved, type of grading and signed by the Inspector will be given to the contractor/developer.

Land Disturbance Permit Submission Checklist

- City of Statham Land Disturbance Permit Application.
- City of Statham Land Disturbance Fee: \$500.00 made payable to the City of Statham.
- Erosion, Sedimentation and Pollution Control checklist (this is available for download as an at www.gawsc.org). The checklist is amended annually, please be sure to use the most recent version.
- Copy of Notice of Intent (NOI) filed with the State Environmental Protection Division (EPD); (filing with the State is an all-electronic process; print a copy of the NOI form for inclusion in your application for land disturbance permit).
- Copy of receipt for payment of State NPDES fees.

- If submitting for a development permit in addition to a land disturbance permit, a total of three (3) complete sets of plans are required. If a development permit is not required, submit three (3) sets of soil erosion, sedimentation, and pollution control and related plans.
- Two (2) printed copies and one (1) electronic copy of the hydrology report.

Resubmission Requirements

Contact the City of Statham prior to resubmission. Please submit all materials as the resubmission cannot be processed unless it is complete.

- Erosion, Sedimentation and Pollution Control checklist.
- If submitting for a development permit in addition to a land disturbance permit, a total of three (3) complete sets of plans are required. If a development permit is not required, submit three (3) sets of soil erosion, sedimentation, and pollution control and related plans.
- Two (2) printed copies and one (1) electronic copy of hydrology report (if revised).
- A fee of \$200.00 after first resubmission (i.e., for any second or subsequent resubmission).

City of Statham Unified Development Code Adopted June 30, 2020

Land development permitting overview. UDC Sec. 7-101

There are two types of permits that are required to proceed with land development in the city (unless exempted from such requirements by this UDC): a land disturbance permit, and a development permit.

(a) **Land disturbance permit.** The land disturbance permit is required and issued by the city pursuant to the Soil Erosion and Sedimentation Control Act. Because Statham is not a local issuing authority, that review process is addressed specifically by the Georgia Department of Natural Resources, Environmental Protection Division. The procedures for filing for a land disturbance permit are specified in article 8 of this UDC. Any land disturbance permit also requires a development permit if the work involves installation of utilities, paving, and building.

(b) **Development permit.** The development permit is issued by the zoning administrator to ensure that land development activities comply with the city's zoning, overlay, and other provisions of this UDC. The procedures for filing for a development permit are specified in this article. When a land disturbance permit is required, the procedures for issuing a development permit are coordinated therewith.

(c) **Work within city right of way.** When utility installation, utility connection or a driveway is proposed within any city right of way, independent of other land development such that no land disturbance permit or development permit is required, a separate driveway permit and/or utility encroachment permit specified in this article shall be required.

Requirement to obtain a development permit. UDC Sec. 7-102

(a) Unless specifically exempted by this division, a development permit shall be required prior to commencing any land development or improvement on private land, including building. A development permit shall be required to be issued to authorize all activities, unless specifically exempted, associated with

development activity regulated by this UDC, including, but not limited to, clearing and grubbing, grading and the construction of such improvements as streets, surface parking areas and driveways, storm water drainage facilities, sidewalks, or other structures permanently placed on or in the property except for buildings, signs, or other structures requiring the issuance of a building permit.

Pre-application. UDC Sec. 7-104

An applicant for a development permit is strongly encouraged but not required to schedule a pre-application meeting with the zoning administrator. Such meeting may also be attended by other review agencies as appropriate. Where other agencies are not represented at the pre-application meeting, a development permit applicant is encouraged to seek advance comments from internal and external agencies with jurisdiction over the development proposal.

Application for development permit. UDC Sec. 7-105

An application for a development permit shall include the following, as applicable; completed applications shall be submitted to the zoning administrator. Unless otherwise specified by the zoning administrator, all plans are to be submitted electronically and in hard copy.

(a) **Application for land-disturbance permit.** Unless exempt from the requirement to obtain a land-disturbance permit, the application for development permit shall contain or provide reference to the application for land disturbance permit.

(b) **Application form.** An application form with information specified by the zoning administrator. Said application form may include but is not limited to name of applicant and contact information, owner and contact information, name of project with location information, proposed source of water service and sewer or septic tank, the name of the professional designer, and the proposed use of the development. The application must be authorized by the property owner.

(c) **Development name.** The name of each development project must have the approval of the zoning administrator. The name shall not duplicate nor closely approximate the name of an existing subdivision or development project in Barrow County or any of its cities.

(d) **Address.** Provide an address for the site, if already assigned. If not assigned, contact the Barrow County E-911 coordinator to obtain an address.

(e) **Checklist(s).** A checklist for development permit application submissions, as may be provided by the zoning administrator.

(f) **Fees.** Payment of any development permit fee, and any associated fees, as established from time to time by the Statham City Council.

(g) **Water and sewer availability.** The zoning administrator may require evidence of water and sewer availability and this requirement in turn may necessitate pre-payment of sanitary sewer capacity for the project.

(h) **Plan sets.** All development plans shall contain sheets for the following, as applicable:

1. **Plat.** A copy of the approved recorded plat of the subject property, demonstrating that the property to be developed is a lot of record or part of a lot of record. If land subdivision is proposed or implied in the development proposal, a proposed subdivision plat may be required to be submitted with the development permit application, or the process of subdivision may be authorized by the zoning administrator to be deferred until a later stage of the development process.

2. **Site plan.** A site plan, including at minimum the project location, total project area, natural features of the site (e.g., streams, drainage ways, significant vegetation, etc.) and proposed development features as required by this UDC, including easements.

3. **Phases.** Proposed phasing of the development, if it is proposed to be built in phases or sections.

4. **Grading plan.** Grading plans as required and specified in this article.

5. **Soil erosion plans.** Soil erosion plans are submitted as part of the land disturbance permit application. If a project is exempt from the requirement to obtain a land disturbance permit, the development permit application shall provide soil erosion plans sufficient to demonstrate compliance with best management practices and stream buffers.

6. **Stormwater management plan.** Stormwater management plans are submitted as a part of the land-disturbance permit application.

7. **Tree protection and landscaping plan.** All information and plans required by this UDC, as may be applicable.

8. **Utilities plan.** Plans for water, sanitary sewer, and other utilities as may be required by the zoning administrator and utility provider.

9. **Street improvement plan.** If the development proposes new streets, whether public or private, or if this UDC requires improvement of a city street, the development permit application shall include information demonstrating compliance with the requirements of this UDC for the improvement of abutting city streets.

10. **Other.** Other information as may be specified by the zoning administrator, as may be necessary to review the development plan and ensure compliance with this UDC.

Development plan specifications. UDC Sec. 7-107

Development plans shall contain the following (on one or more sheets), unless otherwise approved by the zoning administrator:

(a) **Scale.** Plans shall be clearly and legibly drawn at an engineering scale convenient to illustrate the details of the project. Sheet size shall not exceed 36 inches by 42 inches. Plan and profile sheets, if any, shall have a horizontal scale of no less than 1 inch to 100 feet and a vertical scale of no less than 1 inch to 10 feet. The zoning administrator may approve deviations from these required scales when appropriate.

(b) **Project boundary.** Plans shall be based on the boundaries of a lot as shown on a recorded plat, or if not yet subdivided and recorded, on a boundary survey delineating the entirety of the property contained within the project. Boundary lines of the perimeter of the tract shall be indicated by a heavy line giving lengths to the nearest one-hundredth of a foot and bearings to the nearest second.

(c) **Adjoining property information.** Provide all adjoining property owners, subdivision names, lot numbers, lot lines, and block letters, and zoning districts for adjoining properties.

(d) **Project name and phase.** The name of the project shall be indicated. If the project is located within a subdivision, the name of the subdivision, lot, and block number must also be shown. If the development

project is part of a phased development or master-planned development, identify the unit number, division, phase, or stage of development.

(e) **Zoning and prior approvals.** The existing zoning district and if applicable overlay district of the project site, and reference if applicable to conditions of zoning, variance, special use, or other permissions including case numbers and dates of approval.

(f) **Owner and developer.** Name, address, telephone number, and e-mail address of the owner of record, and of the developer (if not the owner).

(g) **Professional contacts.** Name, address, and telephone number of each professional firm associated with the site development plans (engineer, landscape architect, etc.).

(h) **Map requisites.** Date of survey, north point, and graphic scale, source of datum, date of plan drawing, and space for revision dates.

(i) **Use.** Proposed use of the site, including gross square footage for each different use type or building.

(j) **Location references.** Location, district, land lot(s) and parcel(s) acreage or area in square feet.

(k) **Location sketch.** A location sketch showing the development site in relation to the surrounding area with regard to well-known landmarks such as major thoroughfares or railroads. Sketches may be drawn in freehand and at a scale sufficient to show clearly the information required, but not less than 1 inch equal to 2,000 feet. U.S. Geological Survey quadrangle maps may be used as a reference guide for the location sketch.

(l) **Buildings, access, and parking.** Size, location, and ground elevation of all proposed buildings and existing buildings to remain or to be demolished, and minimum required building setback lines, the location of parking and loading areas, driveways, curb cuts and where required designated fire lanes. Each building shall be identified with a number or letter. See Article 6 of this UDC for access, driveway, and parking requirements.

(m) **Topography and grading.** Existing contour lines based on sea level datum shall be drawn at intervals of not more than two (2) feet and shall include the entire site and all abutting public streets. Contour lines shall be based on field surveys or photogrammetric methods from aerial photographs. The basis for the topographic contour shown shall be specified and dated. Grading plans shall show proposed contours. Grading shall be performed in accordance with the lines and grades indicated on the approved grading plan.

(n) **Natural features within the proposed development.** These include drainage channels, bodies of water, and other known significant features such as extensive exposed rock. On all water courses the direction of flow shall be indicated. The 100-year floodplain shall be delineated and the source of the depicted floodplain information shall be indicated (i.e., reference to map panel numbers and dates). The acreage or area in square feet within the floodplain shall be indicated. See Article 11 of this UDC for additional requirements when development is proposed to be located in a floodplain or flood hazard area.

(o) **Man-made features.** These include those features existing within and adjacent to the proposed development including existing right-of-way width and pavement widths of adjoining streets, street names, the location and dimensions of existing bridges, easements (all purposes), culverts and other drainage facilities, water, sewer, and other existing utility lines and structures, the names of jurisdiction lines; existing structures on the site and their disposition, and other appropriate built-environment information.

(p) **Trees, buffers, landscaping.** If buffers or other landscaping or screening treatments are required, show the location, size, and type (natural or planted) on the plans conforming to the requirements of this UDC, as applicable.

(q) **Utilities and other easements.** Easements for water and sanitary sewer as may be required by the utility provider with jurisdiction.

(r) **Standard drawings.** The zoning administrator may require that the development plans include standard drawings if adopted by the city, or a standard drawing of any utility provider with jurisdiction over the development project. Where no standard drawing is available but is needed as determined by the zoning administrator, the applicant's engineer or designer shall provide any such standard drawing requested.

(s) **Signature blocks.** The zoning administrator may require signature blocks with pertinent information to be signed by the owner/developer, the plan preparer, a utility provider, an external agency, and approval block for signature by the zoning administrator.

(t) **Additional information.** Other information as may be specified by the zoning administrator, as may be necessary to review the development plan and ensure compliance with this UDC.

Completeness check. UDC Sec. 7-108

(a) The application shall be checked for completeness within 10 calendar days of submission. Incomplete applications will not be processed.

(b) If all documents and plans are not submitted, the development plan application will not be reviewed.

(c) The zoning administrator will notify the applicant of any deficiencies and will advise the applicant on what is needed to complete the application and initiate review.

External reviews of development plans. UDC Sec. 7-109

The applicant shall be responsible for obtaining approvals from all other agencies with regulatory jurisdiction over the project. Accordingly, the applicant may be required by the zoning administrator to secure development approval from other agencies with regulatory jurisdiction. Plans shall be submitted by the applicant to these external agencies, for comments and approvals (the zoning administrator is not responsible for that function). Approval by the external agency is to be communicated to the zoning administrator. The applicant shall work directly with each external agency as necessary to resolve all issues to receive that agency's approval.

(a) **Environmental Protection Division or Soil and Water Conservation District.** Development plans which include a land disturbance permit application require the review of soil erosion and sedimentation control plans by either the Environmental Protection Division or the Soil and Water Conservation District (see Article 8 of this UDC). Such reviews are coordinated by the zoning administrator.

(b) **Georgia Department of Transportation.** If the development is on a state highway, also make application directly to the Georgia Department of Transportation district office with jurisdiction, following that agency's procedures for driveways and encroachments.

(c) **Environmental health.** If the development is to be served by on-site sewage disposal system, also make application directly to the Barrow County Environmental Health Department following that agency's procedures

(d) **Non-city utility provider.** If the development is served by a utility provider other than the city, also make application directly to that agency following that agency's procedures.

The zoning administrator is not responsible for delays in approval of development plans when a development permit applicant is required to be approved by an external agency but has not obtained approval from that external agency with jurisdiction over the development proposal.

Development permit application processing. UDC Sec. 7-110

(a) **Administrative procedures.** The zoning administrator is authorized to establish and modify administrative procedures regarding the development plan review administrative process to provide for expeditious decision making and to ensure fairness in the process.

(b) **Time frame.** Decisions on development permits shall be issued by the zoning administrator within 40 calendar days of the city's notice of plan application completeness. This time period contemplates an applicant simultaneously completes external agency permitting processes.

(c) **Criteria for decisions on development permit applications.** The zoning administrator shall review the application for compliance with the following criteria, which shall not be limiting:

1. **Development code and zoning conditions.** Development plans must be consistent with all applicable articles and sections of this UDC, and any conditions of zoning, special use, or variance approval, if applicable.

2. **Previously approved plats and plans.** When property to be developed is included on an approved final plat, master plan, or other plan approved by the city, development plans shall be in substantial accordance with said plat or plan as determined by the zoning administrator. Significant departures from any such requirements may require the resubmission of plat, master plan, or other plan previously approved, as determined by the zoning administrator.

3. **Usability or variance.** The zoning administrator may not approve any development permit application or plan that shows a lot or situation that would clearly require a variance in order to be reasonably usable, whether due to the presence of flood plain, unusual configuration, zoning compliance, lack of public utilities, or for any other reason.

(d) **Noncompliance.** If the development permit application and plans are found to not comply with the requirements of this UDC, the zoning administrator shall indicate on the drawing or in writing all comments related to lack of compliance with this UDC. The zoning administrator shall deny or withhold approval of the development permit application in cases where the proposed development does not meet the requirements of this UDC or the comments of any other internal or external agency with jurisdiction to review the development permit application.

(e) **Revisions.** Development plan applications shall be revised and resubmitted to accommodate the comments by review agencies and those issued to the applicant by the zoning administrator. If revisions are not resubmitted within a time frame specified by the zoning administrator, the application will be denied. Plan drawings that are submitted for revision must specifically identify those areas that are to be considered for review and approval. The revisions shall be noted in tabular form in a revision block on the plan drawings.

(f) **Compliance and approval.** When the zoning administrator has determined that the development permit application complies with the requirements of this UDC, it will be approved.

Pre-construction meeting and acknowledgment memorandum. UDC Sec. 7-111

When development plan sets have been approved, the zoning administrator shall provide his/her signature, and retain two sets and return two sets to the applicant. The property owner may be required to sign a pre-construction memorandum acknowledging receipt of approved development plans and responsibilities of the property owner and applicant, including but not limited to calls for development inspections.

Permit issuance and posting. UDC Sec. 7-112

When a development permit is issued, it shall be assigned a number by the zoning administrator, and the applicant shall be supplied a development permit which must be posted on the development site prior to commencement of any land disturbing activity. The development permit shall be posted in a conspicuous place so that they will be visible from the roadway providing frontage.

Duration of development permit. UDC Sec. 7-113

(a) **Expiration.** A development permit shall remain in effect for a period of six consecutive months after which time the permit and plans will become null and void and a new permit will be required if no development activity has begun and has been diligently pursued.

(b) **Suspension or revocation.** A development permit may be suspended, revoked or modified, as to all or any portion of the land affected by the plan, upon finding that the holder or his successor in title is not in compliance with the approved erosion and sedimentation control plan or that the holder or his successor in title is in violation of this UDC.

Development inspections. UDC Sec. 7-114

Inspections are required for each of the following phases, as applicable to the actual work to be performed under the development permit:

(a) **Erosion and sedimentation control.** Required erosion and sedimentation control measures must be installed in accordance with the approved soil erosion and sedimentation control plan prior to any development activity and as development progresses. Prior to clearing or clearing and grubbing of the property or any portion included under the development permit, inspection of erosion and sedimentation control measures and protective devices for undisturbed areas shall be required. Inspection of erosion and sedimentation control measures will be conducted on a continuing basis.

(b) **Stormwater facilities.** Construction of the stormwater system shall be initiated as part of the grading of the site. Storm water detention facilities shall be constructed prior to the installation of any other site improvements, and may be utilized under proper design as sedimentation basins during development. Installation of all other storm drainage pipes, culverts, headwalls, and ditches, shall be coordinated with the construction of streets and other site improvements, as appropriate. Upon installation of storm drainage pipe, detention, or other storm water facilities, inspection and approval shall be required prior to continuation with subgrade preparation.

(c) **Grading.** Upon completion of street grading, if applicable, inspection and approval shall be required prior to trenching or continuation with subgrade preparation.

(d) **Street curbing and gutter (if provided).** After grading is completed and approved, the curb lines shall be staked by the developer's registered land surveyor. Inspection shall be requested after the subgrade is compacted and forms or string line have been set. Street width and vertical and horizontal alignment may be spot checked.

(e) **Sub-grade of streets.** After the earth work has been completed, all storm drainage and other underground utilities have been installed under the roadbed, and the backfill in all such ditches thoroughly

compacted, the subgrade shall be brought to the lines, grades and cross section shown on the plans. If any sections of the subgrade are composed of unsuitable or unstable material, such material shall be removed to the depth directed by the Inspector and replaced with suitable, thoroughly compacted material. Prior to placement of the street base, the subgrade shall be compacted to 95% density. Testing for sub-grade compaction will be required, including two tests at each sanitary sewer manhole.

(f) **Utilities.** Before any street base is applied, all of the underground utilities—water mains, sewer mains, gas mains, or any other underground utilities, and all service connections related thereto, that will be located under the street base shall be installed completely and provided throughout the length of the street and across the flat section. If a public water system is to be installed, the improvements are to be reviewed, approved and inspected by the water provider.

(g) **Street base.** The base shall be string-lined for depth and crown. The street base shall be roll-tested with an 18-ton tandem dump truck and shall pass to the satisfaction of the Inspector. When testing is required by the Inspector, it is the responsibility of the developer to ensure that all required tests are made and reported to the Inspector. The cost of all testing and quality control shall be performed at the expense of the developer by qualified testing laboratories. If deemed necessary by the inspector, additional tests will be required.

(h) **Paving.** The inspector shall be on site during the paving process to check consistency, depth, and workmanship, as applicable. For asphalt paving, the temperature of the material will be monitored and the street will be cored after completion to check thickness and density. Satisfactory test results of the cores shall be delivered to the zoning administrator and utility provider (where utilities are involved) prior to approval of a final subdivision plat if applicable.

(i) **Tree protection and landscaping.** Inspections for tree protection measures and the installation of landscaping.

(j) **Final.** A final inspection of the development, once complete, shall be required.

Field changes. UDC Sec. 7-115

(a) After issuance of a development permit, if changes are desired or made necessary as a result of field conditions, the design engineer must contact the zoning administrator to coordinate the review and approval of the requested revision.

(b) All field changes shall be documented as revisions to the approved development plans and correctly shown on as-built surveys.

(c) Discrepancies between as-built surveys and approved development plans may result in delays in approving final plats, building permits or certificates of occupancy.

Reference to specifications. UDC Sec. 7-116

Where this UDC establishes specifications to be followed, said specifications shall be met, where applicable. The following regulations and manuals are hereby adopted (as may be amended from time to time), and development shall be consistent with them, as applicable, unless otherwise approved by the zoning administrator.

(a) **On-site sewage management.** Georgia Department of Public Health, Environmental Health Section, Manual for On-site Sewage Management Systems, revised January 2016.

(b) **Soil erosion control.** *Manual for Erosion and Sediment Control in Georgia* published by the Georgia Soil and Water Conservation Commission.

(c) **Stormwater management.** *Georgia Stormwater Management Manual: Volume 1: Local Government Guide* (2016 Editions); *Volume 2: Technical Handbook* (2016 Edition); and *Volume 3: Pollution Prevention Guidebook* (2012).

(d) **Surveys.** Georgia Administrative Code Department 180, State Board of Registration for Professional Engineers and Land Surveyors, Chapter 180-7, *Technical Standards for Property Surveys*.

(e) **Access management.** Georgia Department of Transportation *Regulations for Driveway and Encroachment Control*, Revision 4.0, dated March 15, 2016.

(f) **Utility encroachment.** “Utility Accommodation Policy and Standards,” promulgated and published by the Georgia Department of Transportation Division of Operations, Office of Utilities, dated 2016, and as may be amended from time to time.

(g) **Traffic control.** *Manual on Uniform Traffic Control Devices*, latest edition, published by the Federal Highway Administration of the U.S. Department of Transportation.

(h) **Landscaping.** *ANSI 300 Standards:* The generally accepted (consensus) industry standards for tree care practices, developed by the Tree Care Industry Association and written by a committee called the Accredited Standards Committee A300. These standards are based on current research and sound practice for writing specifications to manage trees, shrubs, and other woody plants.

Disclaimers. UDC Sec. 7-117

(a) **No transfer of responsibility.** Approval of development plans by the city shall not imply or transfer acceptance of responsibility for the application of the principles of engineering, architecture, landscape architecture or any other profession, from the professional, corporation or individual under whose hand or supervision the development plans were prepared. The completion of inspections and authorization for work continuation shall not transfer responsibility for the quality of the work performed or materials used from the owner, nor imply or transfer acceptance of responsibility for project design or engineering from the professional, corporation or individual under whose hand or supervision the development plans were prepared.

(b) **No waiver of compliance.** No development permit issued by the zoning administrator shall be interpreted to relieve any owner of the responsibility of maintaining full compliance with all applicable codes, ordinances and other regulations. Any development permit issued in error or in contradiction to the provisions of this UDC shall be considered to have been null and void upon its issuance.

(c) **No liability for damage.** The approval of plans under the provisions of this article and the issuance of a development permit shall not relieve any person from the responsibility for damage to any person or property otherwise imposed by law, nor shall such plan approval or development permit issuance impose any liability upon the city for damage to any person or property.

As-built plans. UDC Sec. 7-118

Upon completion of the project, if required by the zoning administrator, the applicant or other responsible party shall submit as-built plans of the project in electronic format.